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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/509,713	05/06/2005	Eric D. Mathews	12090-004US1	8357
26161	7590	12/26/2007	EXAMINER	
FISH & RICHARDSON PC			VORTMAN, ANATOLY	
P.O. BOX 1022			ART UNIT	PAPER NUMBER
MINNEAPOLIS, MN 55440-1022			2835	
			MAIL DATE	DELIVERY MODE
			12/26/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10509713	5/6/2005	MATHEWS ET AL.	12090-004US1

FISH & RICHARDSON PC
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EXAMINER

Anatoly Vortman

ART UNIT	PAPER
2835	1207

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Notice of Non-Responsive Amendment

/Anatoly Vortman/
Primary Examiner
Art Unit: 2835

NOTICE OF NON-RESPONSIVE AMENDMENT

1. The reply filed on 08/31/07 is not fully responsive to the prior Office Action of 08/01/07 (Election/Restriction Requirement) because of the following omission(s) or matter(s): Applicant did not “elect a single disclosed species for prosecution on the merits” (emphasis added) as was required by the outstanding Election/Restriction requirement of 08/01/07 (section two (2), lines 5-6). See 37 CFR 1.111. Instead, Applicant has elected two (2) species: III and V for prosecution on the merits. Therefore, Applicant is required to elect single specie for prosecution on the merits.

Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anatoly Vortman whose telephone number is 571-272-2047. The examiner can normally be reached on Monday-Thursday, between 10:00 am and 8:30 pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Jayprakash Gandhi can be reached on 571-272-3740. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2835

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Anatoly Vortman/
Primary Examiner
Art Unit 2835

AV